

REMARKS/ARGUMENTS

Claims 15-27 were pending in this application. Claims 1-14 were previously cancelled. In this amendment, no claims are cancelled or added and claim 15 is amended. After entry of this amendment, claims 15-27 will remain pending. Applicant submits that the amendments to claim 15 are supported by the specification as originally filed and therefore introduce no new matter.

On September 15, 2011, a Request for Continued Examination was filed in the present application so that amendments in response to a Final Office Action would be considered.

On October 17, 2011, an Examiner Interview was held. Applicant appreciates the Examiner's time. In the Examiner Interview, the rejections under §112, ¶1, §112, ¶2, and 35 USC §103(a) were discussed, as well as the references (U.S. Patent Publication No. 2001/0034619 naming Sherman (hereinafter "Sherman") in view of U.S. Patent Publication No. 2004/0064391 naming Lange (hereinafter "Lange")). The Examiner also suggested some amendments to the claims.

In the prior Final Office Action, there were three rejections:

1) rejection of all pending claims under 35 USC §112, ¶1, asserting that while claim 15 recites "server computer," Applicant's disclosure does not provide any support for a server computer to meet the written description requirement,

2) rejection of all pending claims under 35 USC §112, ¶2, asserting indefiniteness of claim 15, and

3) rejection of all pending claims under 35 USC §103(a) asserting obviousness over the combination of Sherman in view of Lange. Each of those rejections is addressed in the prior response and additional amendments are presented here.

As for the rejection under §112, ¶1, Applicant explained in the prior response how the written description requirement is clearly complied with. However, to further advance

prosecution, Applicant amends claim 15 to recite a “computer” instead of a “server computer”. If the Examiner wishes to maintain the rejection, Applicant respectfully requests that the Examiner provide findings as to “why a person skilled in the art at the time the application was filed would not have recognized that the inventor was in possession of the invention as claimed in view of the disclosure of the application as filed” with respect to a computer as claimed, in general, and in particular the Examiner’s position as to whether there is any indication that the inventor did not know, at the time of filing, that a website had to operate on a computer. Applicant respectfully requests reconsideration and withdrawal of the rejection under §112, ¶1.

As for the rejection under §112, ¶2, Applicant submits that the prior amendments to claim 15 overcame that rejection.

As for the rejection under §103(a), Applicant and the undersigned discussed the references with the Examiner and explained how the claims were distinguishable from those references. As has been previously explained, Sherman is directed to teaching how to provide additional insurance, which is the sale of an insurance policy other than a policy of an original policy owner, while in Lange, individual policies are not sold to buyers, but are aggregated so that the group of policies can be collateralized. Thus, even the combination of those two references, even if that made sense, would not have each of the elements of claim 15 and the rejection should be withdrawn.

Nonetheless, to expedite prosecution, Applicant’s submit amendments to claim 15 to provide additional limitations.

Withdrawal of the rejection of claim 15 under §103(a) is respectfully requested. Claims 16-27, which depend on claim 15, are also allowable for at least the reasons stated above and previously and for the additional elements that they recite.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 10/789,158
Amdt. dated November 15, 2011
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 3626

PATENT

Further, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Date: November 15, 2011

/Philip H. Albert/
Philip H. Albert
Reg. No. 35,819

KILPATRICK TOWNSEND & STOCKTON, LLP

Two Embarcadero Center, Eighth Floor

San Francisco, California 94111-3834

Tel: 415-576-0200 Fax: 415-576-0300

PHA:djb/psc

63821371 v1